

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 23-61012-CIV-SMITH

KRISTEN POWELL, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

GENESCO, INC. d/b/a JOURNEYS,

Defendant.

ORDER ON MOTION TO QUASH SUBPOENA

THIS CAUSE is before the Court pursuant to Plaintiff's Oral Motion for Protective Order and to Quash Defendant's Subpoena on Third Party T-Mobile US, Inc. (the "Oral Motion"). [ECF. No. 38]. After hearing arguments from counsel on November 1, 2023, the Undersigned has carefully considered this matter and is fully advised. For reasons stated on the record, the Oral Motion is **DENIED**. Although the Court understands Plaintiff's privacy rights concerns, including those outlined in *Keim v. ADF Midatlantic, Ltd. Liab. Co.*, No. 12-80577-CIV-Marra/Matthewman, 2016 U.S. Dist. LEXIS 23739 (S.D. Fla. Feb. 22, 2016), the Subpoena here seeks relevant information given Defendant's claims of potential adequacy issues in this class action suit. Further, the Subpoena's time period, January 1, 2021 to the present, is reasonable under the circumstances.

DONE AND ORDERED in Chambers at Miami, Florida this 3rd day of November 2023.

A handwritten signature in blue ink, reading "Lisette Reid", positioned above a horizontal line.

LISETTE M. REID
UNITED STATES MAGISTRATE JUDGE

cc: **U.S. District Court Judge Rodney Smith; and
All Counsel of Record**